

REMARKS

The Decision on Appeal has stated that the rejection of Claims 1, 3, 5-7, 9, 10, 12, 14-16, 18, 19, and 39-41 under 35 U.S.C. 103(a) as being unpatentable over Ferguson (U.S. Patent No. 6,769,019), in view of Sheldon et al. (U.S. Patent No. 6,072,486), and in further view of Anuff et al. (U.S. Publication No. 2002/0029296); the rejection of Claims 2, 11, 20, 21, 23-25, 27-29, 31-33, 35, 36, and 38 under 35 U.S.C. 103(a) as being unpatentable over Ferguson, in view of Sheldon, in view of Anuff, and in further view of Bascom et al. (U.S. Patent No. 7,139,974); the rejection of Claims 4 and 13 under 35 U.S.C. 103(a) as being unpatentable over Ferguson, in view of Sheldon, in view of Anuff, and in further view of Schultz et al. (U.S. Patent No. 6,453,339); the rejection of Claims 22 and 30 under 35 U.S.C. 103(a) as being unpatentable over Ferguson, in view of Sheldon, in view of Anuff, in view of Bascom, and in further view of Schultz; the rejection of Claims 8 and 17 under 35 U.S.C. 103(a) as being unpatentable over Ferguson, in view of Sheldon, in view of Anuff, and in further view of Shafron (U.S. Patent Publication No. 2004/0165007); the rejection of Claims 26 and 34 under 35 U.S.C. 103(a) as being unpatentable over Ferguson, in view of Sheldon, in view of Anuff, in view of Bascom, and in further view of Shafron; and the rejection of Claim 37 under 35 U.S.C. 103(a) as being unpatentable over Ferguson, in view of Sheldon, in view of Anuff, in view of Bascom, in view of Shafron, and in further view of Schultz have been affirmed.

In response to the affirmation of the rejections under 35 U.S.C. 103(a), applicant has amended the independent claims to further distinguish applicant's claim language from the relevant references relied upon by the Examiner.

Specifically, applicant has amended independent Claims 1, 10, 19, 20, 28, 36, and 37 to further distinguish applicant's claim language from the relevant references relied upon by the Examiner, as follows:

“in response to the user dropping the content in the bucket, adding the selected content to the portal by sending information including the content from the web browser on the computer to the remote server for storage on the remote server” (see this or similar, but not necessarily identical language in the aforementioned independent claims – emphasis added).

Applicant respectfully asserts that Ferguson teaches that “the user can dynamically select hyperlinks from a Web page displayed in the window of a browser by ‘dragging-&-dropping’,” where “[t]hese dragged-&-dropped links are downloaded in the background according to a sophisticated schedule of bandwidth priority when the connection between the client and the server is idle, and stored in a cache on the user's hard drive as Q-Links” (Col. 2, line 67-Col. 3, line 12 – emphasis added).

Applicant respectfully asserts that Anuff merely teaches that “the portal server presents an initial view, or front page, that comprises a plurality of modules that are formatted in a predetermined layout” (Paragraph [0006]). Additionally, Anuff teaches that “[a] portal is supported by an extensible database schema at the data storage tier of the overall architecture” (Paragraph [0103]), where “[r]ecently used data can be stored in a memory cache, and content can be programmatically expired and/or uncached” and “[t]he memory cache holds onto data with weak references, i.e. when memory gets scarce, garbage collection can be performed on the cache” (Paragraph [0104] – emphasis added).

However, simply teaching that dragged-&-dropped links are downloaded in the background and stored in a cache on the user's hard drive as Q-Links, as in Ferguson, in addition to teaching that in a portal, recently used data can be stored in a memory cache, where content is programmatically expired and/or uncached such that when memory gets scarce, garbage collection can be performed on the cache, as in Anuff, simply fails to even suggest applicant's claimed “in response to the user dropping the content in the bucket, adding the selected content to the portal by sending information including the

content from the web browser on the computer to the remote server for storage on the remote server” (emphasis added), as claimed by applicant.

Clearly, teaching that links are downloaded in the background and stored in a cache on the user’s hard drive, as in Ferguson, in addition to teaching that a recently used data is stored in a cache and is programmatically uncached when memory gets scarce, as in Anuff, simply fails to even suggest that “in response to the user dropping the content in the bucket,... information including the content [is sent] **from the web browser on the computer to the remote server for storage on the remote server**” (emphasis added), as specifically claimed by applicant.

Furthermore, applicant has amended independent Claim 38 to further distinguish applicant’s claim language from the relevant references relied upon by the Examiner, as follows:

“adding the selected content to the portal *by sending information including the content from the web browser on the computer to the remote server for storage on the remote server*” (emphasis added).

Applicant respectfully asserts, as argued hereinabove, that Ferguson simply teaches that links are downloaded in the background and stored in a cache on the user’s hard drive, and that Anuff merely teaches that a recently used data is stored in a cache and is programmatically uncached when memory gets scarce, which simply fails to even suggest applicant’s claimed “adding the selected content to the portal by sending information including the content **from the web browser on the computer to the remote server for storage on the remote server**” (emphasis added), as claimed by applicant.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable

expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Again, applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art excerpts, as relied upon by the Examiner, fail to teach or suggest all of the claim limitations, as noted above. Thus, a notice of allowance or specific prior art showing of each of the foregoing claim elements, in combination with the remaining claimed features, is respectfully requested.

Still yet, applicant brings to the Examiner's attention the subject matter of new Claims 42-47 below, which are added for full consideration:

“wherein the selected content is added to the portal by sending a link and the information including the content to the remote server for storage on the remote server” (see Claim 42);

“wherein the information further includes a location of the content on a page, an identity of a window, a view that the content has been dropped into, and a user name of the user” (see Claim 43);

“wherein the content added to the portal is updated on the remote server according to a number of times the content is requested by the user” (see Claim 44);

“wherein the content added to the portal is categorized according to a number of times the content is requested by the user” (see Claim 45);

“wherein a check is performed by the remote server to determine if the content stored on the remote server has changed on a source of the content” (see Claim 46); and

“wherein in response to a determination that the content stored on the remote server has changed on the source of the content, the remote server updates the content stored on the remote server by retrieving the changed content from the source of the content” (see Claim 47).

Again, a notice of allowance or a proper prior art showing of all of applicant’s claim limitations, in combination with the remaining claim elements, is respectfully requested.

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NVIDP380).

Respectfully submitted,
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